

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

RACHEL LYNN WILLIAMSON)
and CONSTANCE NOCOA,)
individually and on behalf of all others)
similarly situated)

Plaintiffs,)

vs.)

CASE NO.: 1:24-CV-01526-TWP-MJD

GERARDO LORENZO LINARDUCCI,)
an Indiana individual, and)
INTEGRITY WEALTH PARTNERS,)
LLC, an Indiana limited liability)
Corporation, and DUCCI)
ENTERPRISES, LLC, an Indiana)
limited liability corporation,)

Defendants.)

**DEFENDANTS' UNOPPOSED MOTION FOR
SECOND EXTENSION OF TIME**

Pursuant to Federal Rule of Civil Procedure 6(b) and Local Rule 6-1(c), Defendants Gerardo Lorenzo Linarducci, Integrity Wealth Partners, LLC and Ducci Enterprises, LLC, collectively, (the “Defendants”), by counsel, move this Court for an extension of time of eleven (11) days within which to answer or otherwise respond to the Complaint of Plaintiffs Rachel Lynn Williamson and Constance Noco, individually and on behalf of all other similarly situated (collectively, the “Plaintiffs”). In support of this motion, Defendants state the following:

1. On September 6, 2024, Plaintiffs filed their Class Action Complaint and Demand for Jury Trial (“Complaint”). (Dkt. No. 1.) The Summons and Complaint were served on September 14, 2024. (Dkt. No. 7.)

2. Defendants’ counsel was retained by Defendants on October 3, 2024.

3. On October 8, 2024, Defendants filed their notice of automatic extension pursuant to Local Rule 6-1(a) (Dkt. No. 16), extending the deadline for Defendants to answer or otherwise respond to the Complaint up to and including November 4, 2024, which time has not yet passed.

4. As alleged in the Complaint, this case is premised on allegations made in another lawsuit in the District Court for the Northern District of Georgia, with a case caption and cause number *Securities and Exchange Commission v. Drive Planning, LLC, et al.*, No. 1:24-cv-03583-VMC, ECF No. 1 (N.D. Ga.). (See Dkt. No. 1 at 1–2). A receiver was appointed in the Northern District of Georgia Matter. Defendant Gerardo Lorenzo Linarducci has been subpoenaed by the receiver in that matter.

5. On August 22, 2024, the Securities and Exchange Commission (“SEC”) filed its Notice of Ongoing Investigation in the Northern District of Georgia matter. No. 1:24-cv-03583-VMC, ECF No. 33 (ECF. No. Aug. 22, 2024). Defendant Gerardo Linarducci is a witness in the Securities and Exchange Commission’s ongoing investigation.

6. In the time that the undersigned counsel filed its Notice of Automatic Extension of Time, counsel has coordinated with Defendants’ counsel in the

Northern District of Georgia matter, begun their own investigation of the matter, and begun preparing their response to the Complaint.

7. The Complaint contains 120 paragraphs of allegations and alleges seven different counts. (Dkt. No. 1.) Given the extensive nature and scope of the allegations, the complexity of the subject matter and legal theories raised by the Complaint, the multi-jurisdictional nature of the underlying allegations, and the necessary coordination among different counsel that this requires, Defendants counsel cannot in the exercise of reasonable diligence prepare Defendants' response to the Complaint within the current deadline of November 4, 2024.

8. Both counsel for Defendants have responsibilities and deadlines in other litigation matters which include the following cases:

- *Halczenko, et al., v. Ascension Health, Inc., et al.*, Southern District of Indiana, 1:21-cv-02816-JPH-MG
- *Eastbay, LLC, et al., v. May Insurance Agency, LLC and West Bend Mutual Insurance Agency*, Monroe Circuit Court, 53C01-2308-CT-001755.
- *Eastbay, LLC, et al., v. German American Bank*, Dubois Circuit Court, 19C01-2311-CT-000619
- *David E. Sexauer v. Central Christian Academy, Inc., et al.*, Marion Circuit Court, 49D01-2008-CC-027972
- *Gaines, et al. v. National Collegiate Athletic Association, et al.*, Northern District of Georgia, 1:24-cv-01109-MHC

- *In Re: Petition to Docket Trust of Ralph E. Pardieck*, Jackson Circuit Court, 36C01-2004-TR-000027
- *Gregory Dierk Pardieck, et al., v. Ken Bradley Pardieck, et al.*, Indiana Court of Appeals, 24A-TR-01007
- *In re: Gregory Dierk Pardieck*, U.S. Bankruptcy Court, Southern District of Indiana, 1:24-BK-90440-AKM-11.
- *Ali Ott v. 911 Construction & Rehab, LLC*, Marion Superior Court 6, 46D06-2201-PL-002762.
- *Town of Sheridan, Indiana v. Cheddar Properties, LLC*, Hamilton Circuit Court, 29C01-2403-PL-003240.
- *In re: Guardianship of Jaclyn Schipper*, Whitley Superior Court 1, 92D01 9601-GU-000001.
- *Kirby v. Milestone Contractors L.P., et al.*, Marion County Superior Court, 49D03-2205-CT-016442
- *City of Greenfield v. GAI Consultants, Inc., et al.*, Hancock County Circuit Court, 30C01-2111-PL-001604
- *Dometic Corporation v. Gulf Stream Coach, Inc.*, District Court for the Northern District of Indiana, 3:24-cv-00537-DRL-AZ
- *EdgeRock Development, LLC, et al. v. Team Bold Glory, LLC d/b/a the Derek Daly Group, et al.*, Indiana Court of Appeals, 24A-PL-01866
- *Vina Patel v. Samirkumar Patel*, Boone County Circuit Court, 06C01-2408-CC-001306

- *191st Land Acquisition, LLC v. Weekley Homes, LLC*, CND-Woods Robinson LLC, Hamilton County Superior Court, 29D04-2408-PL-009070
- *FMG Indianapolis, LLC, d/b/a Reagan Outdoor Advertising of Indianapolis v. S & C Financial Group, LLC, Speedway Redevelopment Commission*, Marion County Superior Court, 49D05-1909-PL-038183.

9. Based on the foregoing, there is good cause for an eleven (11) day extension of time, up to and including November 15, 2024.

10. This request for an eleven (11) day extension of time is not sought for the purpose of delay.

11. The requested extension will not interfere with the deadlines the Court has already set in this matter pursuant to its October 9, 2024 Scheduling Order. (Dkt. No. 17.) Defendants plan to meet the deadlines the Court set in that Order for Defendants.

12. No trial date or other deadlines except those set forth in the Court's October 9, 2024 Scheduling Order have been set in this matter.

13. The undersigned counsel communicated with counsel for Plaintiffs regarding the extension, and counsel for Plaintiffs stated they have no objection to the requested extension.

WHEREFORE, Defendants, Gerardo Lorenzo Linarducci, Integrity Wealth Partners, LLC and Ducci Enterprises, LLC, respectively request that the Court extend the time to answer or otherwise respond to Plaintiffs' Complaint to and including December 2, 2024, and for all other just and appropriate relief.

Respectfully submitted,

/s/ Kevin D. Koons

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CERTIFICATE OF SERVICE

I hereby certify that on November 4, 2024, I filed the foregoing document electronically with the Clerk of the Court. Notice of this filing will be sent to the following by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

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